

05-149

FCC 601 Main Form	FCC Application for Wireless Telecommunications Bureau Radio Service Authorization	Approved by OMB 3060 - 0798 See instructions for public burden estimate Submitted 03/16/2005 at 04:59PM File Number: 0002069839
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DOCKET FILE COPY ORIGINAL

1) Radio Service Code: CW	1a) Existing Radio Service Code:
2) Application Purpose: Amendment	
3a) If this request is for a <u>D</u> evelopmental License, <u>D</u> emonstration License, or a <u>S</u> pecial Temporary Authorization (STA), enter the code and attach the required exhibit as described in the instructions. Otherwise enter <u>N</u> (Not Applicable).	(<u>N</u>) <u>D</u> <u>M</u> <u>S</u> <u>N/A</u>
3b) If this request is for Special Temporary Authority due to an emergency situation, enter 'Y'; otherwise enter 'N'. Refer to Rule 1.915 for an explanation of situations considered to be an emergency.	(<u>N</u>) <u>Y</u> <u>No</u>
4) If this request is for an Amendment or Withdrawal, enter the file number of the pending application currently on file with the FCC.	File Number: 0002069839
5) If this request is for a Modification, Renewal Only, Renewal/Modification, Cancellation of License, Consolidate Call Signs, Duplicate License, or Administrative Update, enter the call sign of the existing FCC license.	Call Sign:
6) If this request is for a New, Amendment, Renewal Only, or Renewal/Modification, enter the requested authorization expiration date (this item is optional).	
7) Is this request "major" as defined in Section 1.929 of the Commission's Rules when read in conjunction with the applicable radio service rules found in Parts 22 and 90 of the Commission's Rules? (NOTE: This question only applies to certain site-specific applications. See the instructions for applicability and full text of Section 1.929)	() <u>Y</u> <u>No</u>
8a) Does this filing request a Waiver of the Commission's Rules? If 'Yes', attach an exhibit providing the rule numbers and expanding circumstances.	(<u>N</u>) <u>Y</u> <u>No</u>
8b) If a feeable waiver request is attached, multiply the number of stations (call signs) times the number of rule sections and enter the result.	
8c) Are the frequencies or parameters requested in this filing covered by grandfathered privileges, previously approved by waiver, or functionally integrated with an existing station?	() <u>Y</u> <u>No</u>
9) Are attachments being filed with this application?	(<u>Y</u>) <u>Y</u> <u>No</u>

Applicant Information

10) FCC Registration Number (FRN): 0012224838			
11) Licensee is a(n): Limited Liability Corporation			
12) First Name (if individual):	MI:	Last Name:	Suffix:
13) Entity Name (if other than individual): JDS Wireless LLC			
14) Name of Real Party in Interest of Applicant (if different from applicant):			
15) Taxpayer Identification Number of Real Party in Interest:			
16) Attention To:			
17) P.O. Box:	And/Or	18) Street Address: 509 N McKean Street	

19) City: Butler	20) State: PA	21) Zip Code: 16001
22) Telephone Number: (724)287-8150		23) FAX Number: (724)283-9655
24) E-Mail Address: jmjo@zbzoom.net		

Contact Information (If different than applicant)

25) First Name: Jud	MI: D	Last Name: Stewart	Suffix:
26) Entity Name: JDS Wireless			
27) P.O. Box:	And/Or	28) Street Address: 509 N McKean Street	
29) City: Butler	30) State: PA	31) Zip Code: 16001	
32) Telephone Number: (724)287-8150		33) FAX Number: (724)283-9655	
34) E-Mail Address: jmjo@zbzoom.net			

Regulatory Status

35) This filing is for authorization to provide or use the following type(s) of radio service offering (enter all that apply):	<input checked="" type="checkbox"/> (Yes) Common Carrier <input type="checkbox"/> (No) Non-Common Carrier <input type="checkbox"/> (No) Private, internal communications <input type="checkbox"/> (No) Broadcast Services <input type="checkbox"/> (No) Band Manager
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Type of Radio Service

36) This filing is for authorization to provide the following type(s) of radio service (enter all that apply):	<input checked="" type="checkbox"/> (Yes) Fixed <input checked="" type="checkbox"/> (Yes) Mobile <input type="checkbox"/> (No) Radiolocation <input type="checkbox"/> (No) Satellite (sound) <input type="checkbox"/> (No) Broadcast Services
37) Interconnected Service? (<input checked="" type="checkbox"/>) Yes <input type="checkbox"/> No	

Fee Status

38) Is the Applicant exempt from FCC application fees?	(<input type="checkbox"/>) Yes <input checked="" type="checkbox"/> No
39) Is the Applicant exempt from FCC regulatory fees?	(<input type="checkbox"/>) Yes <input checked="" type="checkbox"/> No

Alien Ownership Questions (If any answer is Yes, attach exhibit explaining circumstances.)

40) Is the applicant a foreign government or the representative of any foreign government?	(<input type="checkbox"/>) Yes <input checked="" type="checkbox"/> No
41) Is the applicant an alien or the representative of an alien?	(<input type="checkbox"/>) Yes <input checked="" type="checkbox"/> No
42) Is the applicant a corporation organized under the laws of any foreign government?	(<input type="checkbox"/>) Yes <input checked="" type="checkbox"/> No
43) Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	(<input type="checkbox"/>) Yes <input checked="" type="checkbox"/> No

44) Is the applicant directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country?	(N)Yes No
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Basic Qualification Questions (If any answer is Yes, attach exhibit explaining circumstances.)

45) Has the applicant or any party to this application or amendment had any FCC station authorization, license, or construction permit revoked or had any application for an initial, modification or renewal of FCC station authorization, license, construction permit denied by the Commission?	(N)Yes No
46) Has the applicant or any party to this application or amendment, or any party directly or indirectly controlling the applicant, ever been convicted of a felony by any state or federal court?	(N)Yes No
47) Has any court finally adjudged the applicant or any party directly or indirectly controlling the applicant guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement, or any other means or unfair methods of competition?	(N)Yes No
48) Is the applicant or any party directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items?	(N)Yes No

Aeronautical Advisory Station (Unicom) Certification

49) () I certify that the station will be located on property of the airport to be served, and, in cases where the airport does not have a control tower, RCO, or FAA flight service station, that I have notified the owner of the airport and all aviation service organizations located at the airport within ten days prior to application.

50) Race, Ethnicity, Gender of Applicant/Licensee (Optional)

Race:	American Indian or Alaska Native:	Asian:	Black or African-American:	Native Hawaiian or Other Pacific Islander:	White:
Ethnicity:	Hispanic or Latino:	Not Hispanic or Latino:			
Gender:	Female:	Male:			

General Certification Statements

1) The applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application.
2) The applicant certifies that grant of this application would not cause the applicant to be in violation of any pertinent cross-ownership, attribution, or spectrum cap rule.* *If the applicant has sought a waiver of any such rule in connection with this application, it may make this certification subject to the outcome of the waiver request.
3) The applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.
4) The applicant certifies that neither the applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance. This certification does not apply to applications filed in services exempted under Section 1.2002(c) of the rules, 47 CFR § 1.2002(c). See Section 1.2002(b) of the rules, 47 CFR § 1.2002(b) for the definition of 'party to the application' as used in this certification.
5) The applicant certifies that it either (1) has current Form 602 on file with the Commission, (2) is filing an update Form 602 simultaneously with this application, or (3) is not required to file Form 602 under the Commission's Rules.

6) The applicant certifies that the facilities, operations, and transmitters for which this authorization is hereby requested are either: (1) categorically excluded from routine environmental evaluation for RF exposure as set forth in 47 C.F.R. § 1.1307(b); or, (2) have been found not to cause human exposure to levels of radiofrequency radiation in excess of the limits specified in 47 C.F.R. §§ 1.1310 and 2.1093; or, (3) are the subject of one or more Environmental Assessments filed with the Commission.

Signature

51) Typed or Printed Name of Party Authorized to Sign			
First Name: Jud	MI: D	Last Name: Stewart	Suffix:
52) Title: President			
Signature: Jud D Stewart			53) Date: 03/16/05
<p>Failure To Sign This Application May Result In Dismissal Of The Application And Forfeiture Of Any Fees Paid</p> <p>Upon grant of this license application, the licensee may be subject to certain construction or coverage requirements. Failure to meet the construction or coverage requirements will result in termination of the license. Consult appropriate FCC regulations to determine the construction or coverage requirements that apply to the type of license requested in this application.</p> <p>WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, § 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, § 503).</p>			

FCC 601 Schedule B	<p align="center">Schedule for Geographically Licensed Services</p>	<p>Approved by OMB 3060 - 0798 See instructions for public burden estimate</p> <p>File Number: 0002069839</p>
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Market/Channel Block				
1) Market Designator	2) Market Name	3) Channel Block	4) Sub-Market Designator	5) I am seeking a Tribal Lands Bidding Credit in this market
BTA328	Oil City-Franklin, PA	C1	1	No

Tribal Lands Information						
6) Market Designator	7) Channel Block	8) Name of Tribal Lands	9) Area, in square kilometers, of tribal lands contained within designated market	10) Indicate with an "X" those tribal lands where applicant has secured the required certification(s) from the tribal governments (attach certification(s))	11) The amount of bidding credit as defined by FCC Rules (by Market)	12) Additional amount of bidding credit requested (attach justification)

Certification Statements
For Applicants Claiming Eligibility as an Entrepreneur Under the General Rule

Applicant certifies that they are eligible to obtain the licenses for which they apply.

For Applicants Claiming Eligibility as a Publicly Traded Corporation

Applicant certifies that they are eligible to obtain the licenses for which they apply and that they comply with the definition of a Publicly Traded Corporation, as set out in the applicable FCC rules.

For Applicants Claiming Eligibility using a Control Group Structure

Applicant certifies that they are eligible to obtain the licenses for which they apply.

Applicant certifies that the applicant's sole control group member is a pre-existing entity, if applicable.

For Applicants Claiming Eligibility as a Very Small Business, Very Small Business Consortium, Small Business, or as a Small Business Consortium

Applicant certifies that they are eligible to obtain the licenses for which they apply.

Applicant certifies that the applicant's sole control group member is a pre-existing entity, if applicable.

For Applicants Claiming Eligibility as a Rural Telephone Company

Applicant certifies that they meet the definition of a Rural Telephone Company as set out in the applicable FCC rules, and must disclose all parties to agreement(s) to partition licenses won in this auction. See applicable FCC rules.

For Applicants Claiming Tribal Lands Bidding Credit

Applicant certifies that it will comply with the bidding credit buildout requirements and consult with the tribal government(s) regarding the siting of facilities and deployment of service on the tribal land(s) as set out in the applicable FCC rules.

The copy resulting from Print Preview is intended to be used as a reference copy only and MAY NOT be submitted to the FCC as an application for manual filing.

Attachment List

Attachment Type	Date	Description	Contents
Ownership	03/16/05	Exhibit A: Ownership	0180016519007550307893868.pdf
Other	03/16/05	Exhibit C - Entreprenaurial Eligibility	0180016529007550307893868.pdf
Other	03/16/05	Exhibit D - Bidding Credit Eligibility	0180016549007550307893868.pdf

Exhibit A

Applicant Name: JDS Wireless, LLC

Applicant Identity and Ownership Information

Auction Event #58

FCC Form 175

1) General Information

Entity Name and Address: JDS Wireless, LLC, 509 N. McKean Street, Butler, PA 16001

Responsible Officer: Jud D. Stewart, President (U.S. Citizen)

Applicant is a single member limited liability company organized under the laws of the Commonwealth of Pennsylvania. Applicant's principle business is the acquisition and building out of wireless territory. Applicant's principle place of business is: 509 N. McKean Street, Butler, PA 16001.

2) Ownership Information

Applicant's sole owner is Jud D. Stewart. Applicant's owner's address is 509 N. McKean Street, Butler, PA 16001. Applicant's owner is a United States citizen.

There are no other direct or indirect owners of Applicant. There are no other officers or directors. There are no other persons or entities that own or have a controlling interest in Applicant as that term is defined under FCC rules.

Neither Applicant nor its 100% owner has any interest in any FCC license. Neither Applicant nor its 100% owner has any interest in any FCC regulated entity.

Exhibit C

Applicant Name: JDS Wireless, LLC

Entrepreneur Eligibility

Auction Event #58

FCC Form 175

Applicant certifies that it qualifies as an Entrepreneur under the FCC rules, specifically, Applicant certifies that it, together with its controlling interests, affiliates and affiliates of its controlling interests has gross revenue of less than \$125,000,000 in each of the last two years and total assets of less than \$500,000,000.

1) Applicant

Applicant is a single member Pennsylvania limited liability company. Applicant's annual gross revenue for the preceding two years are: for 2003 - \$0, 2002 - \$0.

Applicant's total assets are \$25,000.

2) Applicant's Affiliates

Applicant has no affiliates.

3) Applicant's Controlling Interest

Jud D. Stewart is Applicant's sole owner and only controlling interest as that term is defined by FCC rules. Mr. Stewart's income is not attributable to Applicant under the FCC rules. Mr. Stewart's personal income and personal net worth are not attributable to Applicant under the FCC rules.

4) Affiliates of Applicant's Controlling Interest

Applicant's controlling interest has no affiliates.

Exhibit D

Applicant Name: JDS Wireless, LLC

Applicant's Status

Auction Event #58

FCC Form 175

Applicant certifies that it qualifies as a Very Small Business under the FCC rules. Specifically, Applicant certifies that it, together with its controlling interests, affiliates and affiliates of its controlling interests have average aggregated annual gross revenues the preceding three years that do not exceed \$15,000,000.

1) Applicant

Applicant is a single member Pennsylvania limited liability company. Applicant's annual gross revenue for the preceding three years are: for 2003 - \$0, 2002 - \$0, 2001-\$0; therefore, the average gross revenues for the preceding three years is \$0.

2) Applicant's Affiliates

Applicant has no affiliates.

3) Applicant's Controlling Interest

Jud D. Stewart is Applicant's sole owner and only controlling interest as that term is defined by FCC rules. Mr. Stewart's income is not attributable to Applicant under the FCC rules. Mr. Stewart's personal income and personal net worth are not attributable to Applicant under the FCC rules.

4) Affiliates of Applicant's Controlling Interest

Applicant's controlling interest has no affiliates.

5) Average Combined Gross Revenues

Combined average gross revenues for Applicant, Applicant's affiliates, Applicant's controlling interests and their affiliates are as follows: \$0.

**FCC 602
Main Form**

**FCC Ownership Disclosure Information for the
Wireless Telecommunications Services**

Approved by OMB
3060 - 0799
See instructions for
Public burden estimate
Submitted
03/07/2005 at 3:45 PM
File Number:
0002082138

Filing Type

1a) ☒ Current Filing

☐ Proposed Filing

1b) Is the purpose of this filing to report cellular cross-ownership holdings required pursuant to section 1.919 of the Commission's Rules? ☐ Yes ☒ No

If 'Yes', provide an exhibit with this filing that identifies the Rural Service Area market(s) involved, as well as the cellular licensee of which the filer has acquired direct or indirect ownership interest of 10% or greater.

Filer Information

2) First Name (if individual):	MI:	Last Name:	Suffix:
3) Filer Name (if entity): JDS Wireless	4) FCC Registration Number (FRN): 12224838		

5) Contact Information

Name and Address: Jud D Stewart PO BOX 509 N McKean Street Butler PA 16001	Telephone Number: 724-287-8150 Fax Number: 724-283-9655 E-mail Address:
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Related FCC Regulated Businesses of Filer

6a) Name of all FCC-Regulated Businesses owned by Filer (use additional sheets, if necessary):	6b) Principal Business:	6c) FCC Registration Number (FRN):	6d) Percent of Interest Held:
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Signature

7) Typed or Printed Name of Party Authorized to Sign

First Name: Jud	MI: D	Last Name: Stewart	Suffix:
Title: President			
Signature: Jud D Stewart			Date: 3/07/2005
WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1) AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).			

FCC 602 Main Form
March 2005